

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
SOUTHERN DIVISION**

**UNITED STATES OF AMERICA,**

Plaintiff,

v.

**KENNETH HOWARD WORTHY,**

Defendant.

**No. 21-mj-2024DPR**

**UNITED STATES' MOTION FOR PRETRIAL DETENTION AND FOR  
A HEARING PURSUANT TO 18 U.S.C. § 3142(e) and (f)**

The United States of America, through Teresa A. Moore, Acting United States Attorney for the Western District of Missouri, and by the undersigned Assistant United States Attorney requests pretrial detention and a detention hearing pursuant to 18 U.S.C. §§ 3142 (e)(3)(E), (f)(1)(A), (f)(2)(A), and (f)(2)(B). At this hearing, the evidence will demonstrate that no condition or combination of conditions of release will reasonably assure the defendant's appearance as required by the Court and the safety of other persons and the community.

**Supporting Suggestions**

1. Title 18, United States Code, Section 3142(f)(1)(A) provides that a hearing must be held by the appropriate judicial officer to determine whether any condition or combination of conditions will reasonably assure the defendant's appearance and the safety of any other person in the community if the attorney for the Government moves for such a hearing and if the case is one that involves an offense involving a minor or a crime of violence as defined in 18 U.S.C. § 3156(a)(4)(C), which includes the offense of sexual exploitation of a minor, in violation of 18 U.S.C. § 2251(a). 18 U.S.C. § 3142(E)(3)(E) and (f)(1)(A).

2. The statute recognizes two additional situations which allow for a detention hearing and which can be raised either by the attorney for the Government or by a judicial officer. These conditions are:
  - a. When there is a serious risk that the defendant will flee; or,
  - b. When there is a serious risk that the person will “obstruct or attempt to obstruct justice, or threaten, injure, or intimidate, or attempt to threaten, injure, or intimidate, a prospective witness or juror.” 18 U.S.C. § 3142(f)(2)(A) and (B).
3. One or more grounds for pretrial detention and a pretrial detention hearing as set forth by the statute exists in the above cause, to wit: this matter involves the sexual exploitation of a minor. Further, there is a serious risk that the defendant’s release will present a substantial risk to the community.
4. The crimes alleged in the Complaint requires the Court to consider a rebuttable presumption that no condition or combination of conditions set forth in 18 U.S.C. § 3142(c) will reasonably assure the appearance of the defendant as required and the safety of other persons and the community. 18 U.S.C. § 3142(e)(3)(E).
5. Moreover, the nature and circumstances of the charged offense, the weight of the evidence, the defendant’s history and characteristics, and the nature and seriousness of the danger to any person or the community that would be posed by the defendant’s release, each demonstrate that there is no condition or combination of conditions set forth in 18 U.S.C. § 3142(c) that will reasonably assure the appearance of the defendant as required and the safety of other persons and the community.

6. The Government is aware of the following evidence:
- a. In relation to the nature and circumstances of the offense charged, on March 30, 2021, a complaint was filed charging the defendant with sexual exploitation of a minor.
  - b. In relation to the weight of the evidence supporting the charge in the Complaint, the Government would reincorporate the facts set forth in the affidavit in support of the criminal complaint.

**WHEREFORE**, the United States requests a pretrial detention hearing and that the defendant be detained pending trial.

Respectfully submitted,

Teresa A. Moore  
Acting United States Attorney

By /s/ Ami Harshad Miller  
Ami Harshad Miller  
Assistant United States Attorney  
Missouri Bar No. 57711  
901 St. Louis Street, Ste. 500  
Springfield, Missouri 65802

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing was delivered on April 5, 2021, to the CM-ECF system of the United States District Court for the Western District of Missouri for electronic delivery to all counsel of record.

/s/ Ami Harshad Miller  
Ami Harshad Miller  
Assistant United States Attorney